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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD GRIDER, individually and on behalf
of all others similarly situated,

Plaintiffs,

vs.

CLARK COUNTY COLLECTION SERVICE,
LLC, a Nevada limited-liability company;
DOLLAR LOAN CENTER, LLC, a Nevada
limited-liability company; and DLC EMPIRE,
LLC, a South Dakota limited-liability company,

Defendants.

Case No. 2:13-cv-01731-KJD-CWH

**PLAINTIFF RONALD GRIDER'S
MOTION TO INCREASE CLASS
ADMINISTRATION COSTS**

Final Approval Hearing

Date: February 21, 2017

Time: 9:00 a.m.

Pursuant to Federal Rule of Civil Procedure 23 and the Settlement Agreement and Release (the "Settlement Agreement") entered into by Plaintiff Ronald Grider ("Mr. Grider" or "Plaintiff") and Defendant Clark County Collection Service ("CCCS"), Mr. Grider, respectfully requests (the "Motion") to increase the class administration costs from \$100,000 to \$124,646.76 (an increase of \$24,646.76) as the result of unanticipated costs that ILYM Group, Inc. ("ILYM") has incurred in administering the Settlement Agreement. The additional payment of costs to ILYM **will not** require any additional payments by CCCS and **will not** reduce the award to Settlement Class Members.

1 The Motion is supported by the papers and pleadings on file, the accompanying
2 Memorandum of Points and Authorities, the Declaration of Lisa Mullins (ECF No. 231), and any
3 oral argument heard by the Court.

4 DATED this 14th day of February, 2017.

5 BAILEY ♦ KENNEDY

6 By: /s/ Dennis L. Kennedy

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MEMORANDUM OF POINTS AND AUTHORITIES

Mr. Grider respectfully requests to increase the amount of class administration fees from \$100,000 to \$124,646.76 (an increase of \$24,646.76) as the result of unanticipated costs that class administrator ILYM Group, Inc. (“ILYM” or “Class Administrator”) has incurred in administering the Settlement Agreement in this matter.

As this Court is aware, the Plaintiff and CCCS entered into the Settlement Agreement for the purposes of a class-wide settlement (the “Settlement Class”)—which this Court has already preliminarily approved. (ECF No. 222-1, Settlement Agreement [“Settlement Agr.”]; ECF No. 223, Order Granting Motion for Preliminary Approval of Class Action Settlement and Certification of Settlement Class, May 31, 2016).

The Settlement Agreement provides that costs of notice and claims administration are to be paid from the Settlement Fund. (ECF No. 222-1, Settlement Agr. § VII.B.) The costs include payment for the Direct Mail Notices, Settlement Website, publication of the summary notice, and claims administration. (*See id.* § VII.B.) The Settlement Agreement specifically provides that the administration costs and Direct Mail Notices costs are estimated at one hundred thousand dollars (\$100,000.00) and are to be held in trust by the Claims Administrator. (*Id.*) However, the Settlement Agreement also provides that if the claims administration costs “exceed \$100,000.00, Class Counsel may, for good cause, seek to increase this amount, supported by adequate documentation from the Claims Administrator.” (*Id.*)

The claims administration costs have exceeded \$100,000.00 due to unanticipated issues, and ILYM has requested an additional \$24,646.76 in costs. (ECF No. 231, Mullins Decl. ¶¶ 22-23.) Specifically, ILYM faced unanticipated costs due to:

- The class data CCCS supplied to ILYM was incomplete with respect to Settlement Class Member names. Many entries had either only a first or a last name (but not both). Many of the names provided were not complete. As a result, ILYM was required to conduct a visual review of all names line by line in order to verify name to phone number match.

- Once the data file was reformatted by ILYM Group, it was uploaded into ILYM's reverse lookup software. This process was done on three separate occasions for accuracy as the data provided was not complete.
- ILYM reformatted the data on two separate occasions in order to provide the data to CCCS in a format to assist CCCS conduct its review of the claims. The reformatting of the data took a substantial amount of time.

(*Id.* ¶ 23.) ILYM believes that the additional \$24,646.76 will be sufficient to cover all additional costs involved in administering the Settlement Agreement. (*Id.* ¶ 22; *see also* ECF No. 231-5, Invoice – Administrative Costs.) Indeed, the additional payment of costs to ILYM will ***not require any additional payments by Defendants and will not reduce the award to Settlement Class Members*** as the number of valid claims did not reach the Minimum Aggregate Payout. (*See* ECF No. 222-1, Settlement Agr. § VI.A.2.)

In sum, Mr. Grider respectfully requests that the Court enter an order increasing the payment to ILYM for class administration costs from \$100,000.00 to \$124,646.76 as a result of the unanticipated costs incurred by ILYM in administering the class settlement.

DATED this 14th day of February, 2017.

BAILEY ♦ KENNEDY

By: /s/ Dennis L. Kennedy

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CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY ♦ KENNEDY and that on the 14th day of February, 2017, service of the foregoing Plaintiff Ronald Grider's Motion to Increase Class Administration Costs was made by mandatory electronic service through the United States District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

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/s/ Paul C. Williams
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